



STATE OF WEST VIRGINIA
OFFICE OF THE ATTORNEY GENERAL
DARRELL V. MCGRAW, JR.
CONSUMER PROTECTION DIVISION
1-800-368-8808 or 304-558-8986

Press Release

FOR IMMEDIATE RELEASE

November 6, 2007

Contact: Kim Stitzinger Jones

Phone: (800) 368-8808

Iams Funeral Home Ordered to Cease and Desist from Engaging in Preneed Funeral Business

At a hearing before Judge John T. Madden on November 2, 2007, John L. Iams, II, individually and doing business as Iams Funeral Home, Inc., was ordered to cease and desist from selling, maintaining or performing preneed funeral contracts. He was also ordered to transfer all his open preneed contracts to other funeral homes.

Two days after Attorney General Darrell V. McGraw, Jr., instituted proceedings in Wetzel County Circuit Court, Iams Funeral Home filed a Petition for Bankruptcy in the Northern District of West Virginia. The Defendants argued the bankruptcy filing stayed the Wetzel County proceedings and prevented the transfer of the preneed contracts.

However, Judge Madden ruled the case could proceed in Wetzel County because the Attorney General is enforcing its police and regulatory powers on behalf of consumers.

“The Judge’s decision protects consumers’ legal right to transfer their contracts from a funeral home that has continuously refused to abide by the law,” said Attorney General McGraw.

The lawsuit was filed after three audits discovered numerous violations of the Preneed Act, including the failure of the Defendants to obtain a Certificate of Authority to sell, maintain and perform preneed contracts.

Any persons wishing to file a complaint about a consumer matter or to alert the Attorney General about unfair or deceptive practices may do so by calling the Consumer Protection Hot Line, 1-800-368-8808, or by obtaining a complaint form from the consumer web page at www.wvago.gov.

##